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**FROM:** Michael J. Gilly  
Gen-Probe Incorporated  
Patent Department  
10210 Genetic Center Drive  
San Diego, California 92121  
Phone No. (858) 410-8657  
Facsimile No. (858) 410-8928

**TO:** Office of Initial Patent Examination  
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Number of pages (including this cover page): 7

|                               |   |                                |
|-------------------------------|---|--------------------------------|
| In re Patent Application of:  | ) | Group Art Unit: To Be Assigned |
| LINNEN et al.                 | ) | Examiner: To Be Assigned       |
| Serial No. 10/688,489         | ) |                                |
| Filed: October 16, 2003       | ) | Atty. Docket No. GP140-04.UT   |
| For: COMPOSITIONS AND METHODS | ) |                                |
| FOR DETECTING WEST NILE       | ) |                                |
| VIRUS                         | ) |                                |

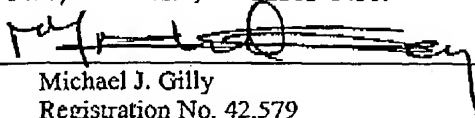
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4. Copy of U.S. Post Office Sales Receipt for Express Mail No. EU638683141US (1 pg.); and
5. Copy of both sides of Return Receipt Postcard received October 31, 2003 with Serial No. 10/688,489 and Filing Date of October 16, 2003 affixed (1 pg.).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-872-9306 on the date indicated below to the Office of Initial Patent Examination, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: June 30, 2004

By:   
Michael J. Gilly  
Registration No. 42,579

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

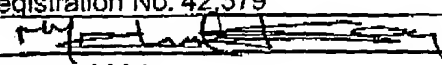
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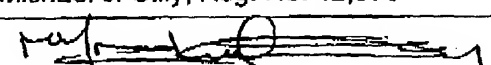
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|---|----------------------|------------------------|-------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number   | 10/688,489             |             |
|   | Filing Date          | October 16, 2003       |             |
|   | First Named Inventor | Jeffrey Linnen         |             |
|   | Art Unit             | Not Assigned           |             |
|   | Examiner Name        | Not Assigned           |             |
| Total Number of Pages in This Submission  | 7                    | Attorney Docket Number | GP140-04.UT |

| ENCLOSURES (Check all that apply)   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input checked="" type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Copies of Express Mail Receipt, Post Office Receipt, Return Postcard, Facsimile Cover Sheet |
| Remarks   |  |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |   |
|-------------------------|---|
| Firm or Individual name | Michael J. Gilly  |
| Registration No.        | 42,579  |
| Signature               |  |
| Date                    | June 30, 2004   |

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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |
| Typed or printed name   | Michael J. Gilly, Reg. No. 42,579   |
| Signature   |  |
| Date  | June 30, 2004   |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|-----------------------------------|---|--------------------------------|
| In re Patent Application of:      | ) | Group Art Unit: To be assigned |
|                                   | ) |                                |
| Linnen <i>et al.</i>              | ) | Examiner: To be assigned       |
|                                   | ) |                                |
| Serial No.: 10/688,489            | ) | Atty. Docket No.: GP140-04.UT  |
|                                   | ) |                                |
| Filed: October 16, 2003           | ) |                                |
|                                   | ) |                                |
| For: Compositions and Methods for | ) |                                |
| Detecting West Nile Virus         | ) |                                |

OFFICIAL

**STATUS REQUEST**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants respectfully request that a status check be conducted on the above-captioned application. The subject application was filed on October 16, 2003, but a Filing Receipt and anticipated Notice of Missing Parts have not been received to date.

Attached are copies of the Express Mail Mailing Label No. EU63868314US, dated October 16, 2003, the U.S. Post Office Sales Receipt dated October 16, 2003, and both sides of the return receipt postcard received October 31, 2003 with a Serial Number of 10/688,489 and filing date of October 16, 2003 indicated thereon, evidencing filing of the application.

Notably, it appears that the above-captioned application (S/N 10/688,489) is not associated in the electronic PAIR system with customer number 21365. This customer number is assigned to Gen-Probe Incorporated, and was entered under the "Correspondence Address" section of the Utility Patent Application Transmittal (Form PTO/SB/05) that was filed with this application.

STATUS REQUEST

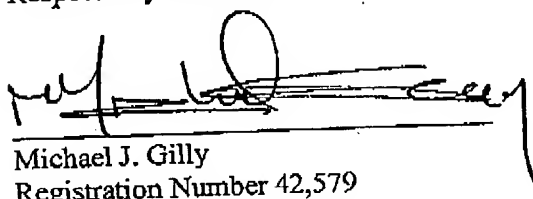
Serial No. 10/688,489  
Atty. Docket No. GP140-04.UT

Please advise the status of this application, by written reply to the undersigned agent of record.

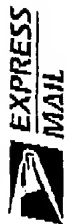
Respectfully Submitted,

Date: June 30, 2004

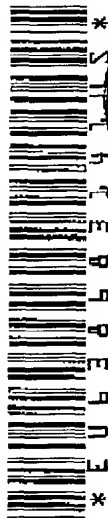
By:

  
Michael J. Gilly  
Registration Number 42,579  
Agent for Applicants

GEN-PROBE INCORPORATED  
Patent Department  
10210 Genetic Center Drive  
San Diego, California 92121  
PH: 858-410-8657  
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| 2140-04, 07   |  | Mail Stop Patent Applications<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 |  | ZIP + 4<br>2 2 3 1 3 0                                  |  |

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T-130 P.006/007 F-525

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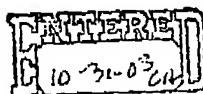
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T-130 P.007/007 F-525

S.N.: To Be Assigned FILED: Oct. 16, 2003 DOCKET NO.: GP140-04.UT MAILED: Oct. 16, 2003  
 TITLE: Compositions and Methods for Detecting West Nile Virus  
 CONFIRMATION NO.: \_\_\_\_\_ APPLICANT: LINNEN et al. ATTORNEY: Gilly  
 The following, due \_\_\_\_\_, was received in the U.S. Patent & Trademark Office on the date stamped hereon:

|   |  |
|---|--|
| <input checked="" type="checkbox"/> Utility Patent Application Transmittal 1 pg.          | _____ Assignment w/ Recordation Form _____ pgs.                            |
| _____ Provisional Application For Patent Cover Sheet _____ pg.                            | _____ Dep. Acc. Auth. _____ in duplicate _____                             |
| _____ Dep. Acc. Auth. _____ in duplicate _____ pgs. total                                 | _____ Preliminary Amendment _____ pgs.                                     |
| <input checked="" type="checkbox"/> Fee Transmittal 1 pg.                                 | _____ PTO Transmittal Form _____ pg.                                       |
| <input checked="" type="checkbox"/> Dep. Acc. Auth. _____ in duplicate 2 pgs. total       | _____ Response _____ pgs.  |
| <input checked="" type="checkbox"/> Specification Cover Sheet 1 pg.                       | _____ Amendment _____ pgs.   |
| <input checked="" type="checkbox"/> Specification, including:                             | _____ Marked-up Copy of Amendments _____ pgs.                              |
| Written Description 81 pgs.   | _____ Terminal Disclaimer _____ pgs.                                       |
| Claims on 9 pgs.  | _____ Petition for _____ Mth. Ext. of Time _____ pg.                       |
| Abstract 1 pg.  | _____ Dep. Acc. Auth. _____  |
| Total 91 pgs.   | _____ in duplicate _____ pgs. total  |
| <input checked="" type="checkbox"/> Sequence Listing (Paper Copy) 40 pgs.                 | _____ RCE Transmittal _____ pg.  |
| <input checked="" type="checkbox"/> Drawings 3 sheets (Formal)                            | _____ Dep. Acc. Auth. _____  |
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| <input checked="" type="checkbox"/> Sequence Listing (CRF) 1 Diskette                     | _____ Part B-Issue Fee Transmittal _____ pg.                               |
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031088 U.S. PTO  
 10/688489

